

1 AN ACT to amend the Downstate Public Transportation Act  
2 by changing Sections 2-2.02 and 2-2.04.

3 Be it enacted by the People of the State of Illinois,  
4 represented in the General Assembly:

5 Section 5. The Downstate Public Transportation Act is  
6 amended by changing Sections 2-2.02 and 2-2.04 as follows:

7 (30 ILCS 740/2-2.02) (from Ch. 111 2/3, par. 662.02)

8 Sec. 2-2.02. "Participant" means:

9 (1) a city, village, or incorporated town, or a local  
10 mass transit district organized under the Local Mass Transit  
11 District Act (a) serving an urbanized area of over 50,000  
12 population on December 28, 1989, (b) receiving State mass  
13 transportation operating assistance pursuant to the Downstate  
14 Public Transportation Act during Fiscal Year 1979, or (c)  
15 serving a nonurbanized area and receiving federal rural  
16 public transportation assistance during Fiscal Year 2001 ~~on~~  
17 ~~the-effective-date-of-this-amendatory-Act-of-1993~~; or

18 (2) any Metro-East Transit District established pursuant  
19 to Section 3 of the Local Mass Transit District Act and  
20 serving one or more of the Counties of Madison, Monroe, and  
21 St. Clair during Fiscal Year 1989, all located outside the  
22 boundaries of the Regional Transportation Authority as  
23 established pursuant to the Regional Transportation Authority  
24 Act.

25 (Source: P.A. 91-357, eff. 7-29-99.)

26 (30 ILCS 740/2-2.04) (from Ch. 111 2/3, par. 662.04)

27 Sec. 2-2.04. "Eligible operating expenses" means all  
28 expenses required for public transportation, including  
29 employee wages and benefits, materials, fuels, supplies,  
30 rental of facilities, taxes other than income taxes, payment

1 made for debt service (including principal and interest) on  
2 publicly owned equipment or facilities, and any other  
3 expenditure which is an operating expense according to  
4 standard accounting practices for the providing of public  
5 transportation. Eligible operating expenses shall not include  
6 allowances: (a) for depreciation whether funded or unfunded;  
7 (b) for amortization of any intangible costs; (c) for debt  
8 service on capital acquired with the assistance of capital  
9 grant funds provided by the State of Illinois; (d) for  
10 profits or return on investment; (e) for excessive payment to  
11 associated entities; (f) for Comprehensive Employment  
12 Training Act expenses; (g) for costs reimbursed under  
13 Sections 6 and 8 of the "Urban Mass Transportation Act of  
14 1964", as amended; (h) for entertainment expenses; (i) for  
15 charter expenses; (j) for fines and penalties; (k) for  
16 charitable donations; (l) for interest expense on long term  
17 borrowing and debt retirement other than on publicly owned  
18 equipment or facilities; (m) for income taxes; or (n) for  
19 such other expenses as the Department may determine  
20 consistent with federal Department of Transportation  
21 regulations or requirements.

22 With respect to participants other than any Metro-East  
23 Transit District participant and those receiving federal  
24 research development and demonstration funds pursuant to  
25 Section 6 of the "Urban Mass Transportation Act of 1964", as  
26 amended, during the fiscal year ending June 30, 1979, the  
27 maximum eligible operating expenses for any such participant  
28 in any fiscal year after Fiscal Year 1980 shall be the amount  
29 appropriated for such participant for the fiscal year ending  
30 June 30, 1980, plus in each year a 10% increase over the  
31 maximum established for the preceding fiscal year. For  
32 Fiscal Year 1980 the maximum eligible operating expenses for  
33 any such participant shall be the amount of projected  
34 operating expenses upon which the appropriation for such

1 participant for Fiscal Year 1980 is based.

2 With respect to participants receiving federal research  
3 development and demonstration operating assistance funds for  
4 operating assistance pursuant to Section 6 of the "Urban Mass  
5 Transportation Act of 1964", as amended, during the fiscal  
6 year ending June 30, 1979, the maximum eligible operating  
7 expenses for any such participant in any fiscal year after  
8 Fiscal Year 1980 shall not exceed such participant's eligible  
9 operating expenses for the fiscal year ending June 30, 1980,  
10 plus in each year a 10% increase over the maximum established  
11 for the preceding fiscal year. For Fiscal Year 1980, the  
12 maximum eligible operating expenses for any such participant  
13 shall be the eligible operating expenses incurred during such  
14 fiscal year, or projected operating expenses upon which the  
15 appropriation for such participant for the Fiscal Year 1980  
16 is based; whichever is less.

17 With respect to all participants other than any  
18 Metro-East Transit District participant, the maximum eligible  
19 operating expenses for any such participant in any fiscal  
20 year after Fiscal Year 1985 shall be the amount appropriated  
21 for such participant for the fiscal year ending June 30,  
22 1985, plus in each year a 10% increase over the maximum  
23 established for the preceding year. For Fiscal Year 1985, the  
24 maximum eligible operating expenses for any such participant  
25 shall be the amount of projected operating expenses upon  
26 which the appropriation for such participant for Fiscal Year  
27 1985 is based.

28 The 10% maximum increase over the amount appropriated for  
29 the preceding year, however, may be exceeded for a  
30 participant that received an initial appropriation in Fiscal  
31 Year 1994, ~~or~~ Fiscal Year 1998, or Fiscal Year 2002. For any  
32 such participant, a 10% maximum increase over the amount  
33 appropriated in the preceding year is established in each  
34 subsequent year following the Fiscal Year when the amount

1 appropriated is equal to or greater than the maximum  
2 allowable under Section 2-7 of this Act.

3 (Source: P.A. 90-508, eff. 8-22-97; 90-694, eff. 8-7-98.)

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.